

**MINUTES OF THE MEETING OF
THE INDIANA STATE ETHICS COMMISSION
August 13, 2020**

I. Call to Order

A regular meeting of the State Ethics Commission (“Commission”) was called to order at 10:00 a.m. The meeting was held virtually using Microsoft Teams. Commission members present were Katherine Noel, Chairperson; Corinne Finnerty; Sue Anne Gilroy; and Kenneth Todd. Staff present included Lori Torres, Inspector General; Jennifer Cooper, State Ethics Director; Tiffany Mulligan, Chief Legal Counsel, Office of Inspector General; Kelly Elliott, Staff Attorney, Office of Inspector General; Luba Gore, Staff Attorney, Office of Inspector General; Chuck Coffin, Special Agent, Office of Inspector General; Mike Lepper, Special Agent, Office of Inspector General; and Nathan Baker, Legal Assistant, Office of Inspector General.

Others present were: Amber Nicole Ying, Special Counsel/Director and Ethics Officer, Compliance and Ethics, Department of Revenue; Deana Smith, Ethics Officer, Indiana State Department of Health; Ed Feigenbaum, Indiana Legislative Insight; Beth Green, General Counsel, Department of Workforce Development; Kathleen Mills, Ethics Officer, Indiana Department of Environmental Management; Tamera Glickman, Deputy General Counsel, Indiana Department of Administration; Sylvia Watson, General Counsel and Ethics Officer, Indiana State Library, Joan Blackwell, General Counsel and Ethics Officer, Office of Attorney General; Andrew Bernlohr, General Counsel and Ethics Officer, Indiana Department of Education; Joshua Garrison, Associate Commissioner, Indiana Commission for Higher Education; Colby Shank, Associate Commissioner for Student Financial Aid, Indiana Commission for Higher Education; and, Nathan Williamson, Indiana Department of Education

II. Adoption of Agenda and Approval of Minutes

Commissioner Gilroy moved to adopt the Amended Agenda (removing the withdrawn Formal Advisory Opinion) and Commissioner Todd seconded the motion which passed (4-0).

Commissioner Finnerty moved to approve the Minutes of the July 9, 2020 Commission Meeting and Commissioner Gilroy seconded the motion which passed (4-0).

III. Inspector General’s Report

Inspector General Lori Torres presented a report on the second quarter of 2020. 40 Informal Advisory Opinions were issued in Q2 (compared to 66 issued in Q1 and 71 in Q2 of 2019). There were 113 requests for investigations in Q2 (compared to 88 in Q1 and 92 in Q2 of 2019). Nine (9) new investigations were opened by OIG in Q4 (compared to 12 in Q1 and 19 in Q2 2019). Fifteen (15) investigations were closed by OIG in Q2 (compared to 6 in Q1 and 11 in Q2 2019). 13 of 15 closed case reports are published on the website.

Regarding KPI's for Q2:

- KPI #1 - Number of informal advisory opinions ("IAO"s) requested: **115**
- KPI #2 - Average number of business days to provide an IAO: **1.087**
- KPI #3 - Number of recommendations made to reduce waste, inefficiency, fraud and improve integrity: **15 recommendations in 13 published reports.**

Ms. Torres reported that the 2020 Auditors & Investigators Conference was webcast over 3 days: June 23, 24, 25 2020. Presentations were made by Dr. Kelly Richmond Pope of DePaul University; Anatomy of a Fraud case by SBOA and OIG; and White Collar Crime Unit of the Indiana State Police. The Inspector General also reported that the 2020 Legal and Ethics Conference is scheduled to be held on the week of November 16, 2020. It will be held via a Microsoft Teams Live virtual event and that the agenda and speakers are still being finalized.

The OIG 2019 Annual Report was published on the OIG website on June 11, 2020.

Ms. Torres also reported on the OIG's Covid-19 response. OIG Staff is working on a hybrid schedule where everyone is physically in the office each week and staff rotates so that there is generally 2-5 people physically present in the office every day. Staff not present work remotely. The Indiana State Library is currently closed to members of the public except by appointment only. Finally, State Ethics Commission meetings will continue to be held virtually for foreseeable future depending on Governor Holcomb's executive orders and Chairwoman Noel's directives.

Finally, Ms. Torres reported the sad loss of Darrell Boehmer, Director of Investigations for OIG for 15 years and trooper with the Indiana State Police for 31 years. He passed away on July 21, 2020.

IV. Consideration of Indiana Department of Education Waiver of Post-Employment Restrictions for Nathan Williamson

Andrew Bernlohr, General Counsel and Ethics Officer, presented the proposed Waiver of Post-Employment Restrictions in this matter to the Commission for their approval.

Commissioner Gilroy moved to approve the Waiver, and Commissioner Todd seconded the motion which passed (4-0).

V. Consideration of Indiana Commission for Higher Education Waiver of Post-Employment Restrictions for Colby Shank

Joshua Garrison, Associate Commissioner, presented the proposed Waiver of Post-Employment Restrictions in this matter to the Commission for their approval.

Commissioner Todd moved to approve the Waiver, and Commissioner Gilroy seconded the motion which passed (4-0).

VI. Director's Report

State Ethics Director, Jen Cooper, stated that since the last Commission meeting, the Office of Inspector General had issued 22 informal advisory opinions on the subjects of post-employment restrictions, conflicts of interests, outside employment, and gifts.

Director Cooper also reported that the OIG will be holding our annual Legal & Ethics Conference virtually this year with plans to hold it during the week of November 16th, likely on the 17th, 18th or 19th of November.

VII. Adjournment

Commissioner Todd moved to adjourn the public meeting of the State Ethics Commission and Commissioner Gilroy seconded the motion, which passed (4-0).

The public meeting adjourned at 10:25 a.m.